

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

January 10, 2007

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Jefferson Conference Room, 22nd Floor, Richmond, with the following members present:

Dr. Mark E. Emblidge, President
Dr. Ella P. Ward, Vice President
Mrs. Isis M. Castro
Dr. Thomas M. Brewster
Mr. David L. Johnson

Mr. Kelvin L. Moore
Mr. Andrew J. Rotherham
Mrs. Eleanor B. Saslaw

Dr. Billy K. Cannaday, Jr.
Superintendent of Public Instruction

Dr. Emblidge, president, presided and called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Dr. Emblidge asked Mr. Moore to lead in the Pledge of Allegiance and a moment of silence.

APPROVAL OF MINUTES

Dr. Ward made a motion to approve the minutes of the November 29, 2006, meeting of the Board. The motion was seconded by Mrs. Castro and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

RESOLUTIONS/RECOGNITIONS

A Resolution of Recognition was presented to Roanoke County Public Schools and Hanover County Public Schools, the first in Virginia to receive the District Accreditation Designation by the Council on Accreditation and School Improvement, a division of the Southern Association of Colleges and Schools. Dr. Mont Bush, vice president for professional services for the Southern Association of Colleges and Schools, congratulated the leaders of the two school divisions.

The following individuals were in attendance from Roanoke County Public Schools: Dr. Lorraine Lange, superintendent, and Mr. Tom Hall, assistant superintendent for personnel.

The following individuals were in attendance from Hanover County Public Schools: Dr. Stewart Roberson, superintendent, Mrs. Sue Watson, school board chairman, and Mr. Glenn Millican, school board member.

A Resolution of Recognition was presented to Mrs. Virginia Neil, Highland High School, Highland County Public Schools, as Virginia's recipient of the 2006-2007 NEA Foundation Award for Teaching Excellence. The following individuals were in attendance: Randy Hooke, principal, and Harry and Fran Edwards, Mrs. Neil's parents.

A Resolution of Recognition was presented to Mrs. Bethann Canada, Director of Educational Information Management at the Virginia Department of Education, as the recipient of the 2006 Data Quality Campaign Award.

PUBLIC COMMENT

The following persons spoke during public comment:

Charles French
Angela Ciolfi

CONSENT AGENDA

Dr. Ward made a motion to approve the items on the consent agenda. The motion was seconded by Mr. Moore and carried unanimously.

- Final Review of Financial Report on Literary Fund
- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Fund or Placement on a Waiting List

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report (including all statements) on the status of the Literary Fund as of September 30, 2006, was approved with the Board's vote on the consent agenda.

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation to approve 14 applications totaling \$45,143,804 subject to review and approval by the Office of the Attorney General pursuant to Section 22.1-156, *Code of Virginia*, was approved with the Board's vote on the consent agenda.

DIVISION	SCHOOL	AMOUNT
Cumberland County	Cumberland High	\$7,500,000.00
Washington County	Patrick Henry High	161,120.00
Washington County	John Battle High	241,680.00
Washington County	Abingdon High	241,680.00
Washington County	Patrick Henry High	382,660.00
Washington County	Holston High	382,660.00
Washington County	Meadowview Elementary	975,380.00
Washington County	Wallace Middle	739,540.00
Washington County	Glade Spring Middle	1,019,084
Southampton County	Riverdale Elementary	7,500,000.00
Roanoke City	William Fleming High	7,500,000.00
Henry County	Drewry Mason Elementary	3,500,000.00
Rockingham County	Montevideo Elementary	7,500,000.00
Gloucester County	Abingdon Elementary	7,500,000.00
	TOTAL	\$45,143,804.00

Final Review of Recommendations Concerning Literary Fund Applications Approved for Release of Fund or Placement on a Waiting List

The Department of Education's recommendation that funding for six projects in the amount of \$33,500,000 be released contingent on approval of the applications by the Office of the Attorney General and receipt of the required memorandum of lien by the Department of Education was approved with the Board's vote on the consent agenda.

The Department of Education's recommendation to approve the actions described in the following four elements was approved with the Board's vote on the consent agenda:

1. Fourteen new projects, totaling \$21,115,166, are eligible for placement on the First Priority Waiting List, subject to the review and approval by the Office of the Attorney General pursuant to § 22.1-156, *Code of Virginia*.
2. Nineteen projects from the First Priority Waiting Listed participated in the 2006 Virginia Public School Authority 2006 Interest Rate Subsidy program and, as a result, have been removed from the First Priority Waiting List.
3. Colonial Beach submitted a letter dated October 13, 2006, requesting that one project (Colonial Beach Middle School) be removed from the First Priority Waiting List.
4. Thirteen new projects, totaling \$41,643,804, have Literary Fund applications, which are approved as to form, but the plans have not yet been finalized. When the Department receives the plans, these projects will be eligible for placement on a waiting list, subject to review and approval by the Office of

the Attorney General pursuant to § 22.1-156, *Code of Virginia*. Until such time, these projects should remain on the Approved Application List.

ACTION/DISCUSSION ITEMS

First Review of Proposed Addition to Board-Approved List of Supplemental Educational Services Providers Under the No Child Left Behind Act of 2001

Mrs. Roberta Schlicher, director, office of program administration and accountability, presented this topic. Mrs. Schlicher said that the *No Child Left Behind Act of 2001* (NCLB) requires Title I schools that do not meet the state's adequate yearly progress (AYP) targets for three consecutive years in the same subject area to offer a choice of supplemental educational services to parents of eligible children. Virginia has schools that are offering supplemental educational services during the 2006-2007 school year. These services must be offered to eligible students until the identified schools exit Title I School Improvement.

Supplemental educational services are tutoring and academic enrichment services that are provided in addition to daily instruction outside of the regular school day. A supplemental educational services provider can be a nonprofit entity, a for-profit agency, or a school division. The services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children in mastering the English and mathematics Standards of Learning and achieving proficiency on Standards of Learning tests.

On July 25, 2002, the Board of Education adopted the NCLB criteria for the approval of supplemental educational services providers. The criteria specified that providers:

- demonstrate the ability to provide parents and the local education agency (LEA) with information on the progress of children in a format and language that parents can understand;
- document a track record of effectiveness;
- ensure that the instruction provided and the content used are consistent with the instruction and content used by the LEA and are aligned with the state's student academic achievement standards;
- meet all federal, state, and local health and safety and civil rights laws;
- ensure that all instruction and content are neutral and non-ideological; and
- offer services within a financially sound management structure.

Dr. Emblidge requested staff to brief the Board at the February meeting on the percent of schools and students participating with supplemental educational services providers.

Mrs. Saslaw made a motion to waive first review and approve the revised list of supplemental educational services providers. The motion was seconded by Dr. Brewster and carried unanimously.

The following provider was added to the Board-approved list:

PROPOSED ADDITIONAL SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDER		
PROVIDER	FOCUS AREA AND GRADE LEVEL	SERVICE AREA
The Learning Curve, Inc.	Reading/Language Arts (K-5); Mathematics (K-8); Conditional Approval Mathematics (9-10)	Hampton City, Newport News City, Petersburg City, and South Hampton Roads

First Review of Final Report to the Governor and General Assembly on the Analysis of Statewide Data Relating to the Requirements for Obtaining a High School Diploma for Students with Limited English Proficiency (LEP)

Mrs. Schlicher and Dr. Deborah Jonas, regional educational laboratory, The CNA Corporation, presented this item. Mrs. Schlicher said that Senate Bill 683 required the Virginia Board of Education (BOE) and the Virginia Department of Education (VDOE) to collect and analyze statewide data on students with limited English proficiency (LEP). The bill required the BOE and the VDOE to make recommendations relating to the requirements for obtaining a high school diploma for students with limited English proficiency.

To meet the requirements of SB 683, a study was conducted that used data from students in grades 9-12 enrolled during the 2005-2006 school year. A preliminary report accepted at the November Board of Education meeting was sent to the Governor and General Assembly on December 1, 2006.

Dr. Jonas presented the following results of this study:

- Virginia's LEP students in grades 9-12 are diverse, speaking over 130 languages, and representing more than 140 countries. The majority (55 percent) of LEP high school students are economically disadvantaged. Although the largest concentration of LEP students in grades 9-12 is in northern Virginia, these students are geographically distributed throughout the Commonwealth.
- Based on a random sample of students, it may be estimated that 13 percent of students in grades 9-12 have had their education interrupted since the time they first entered Virginia public schools. In addition, students that entered Virginia public schools at age 16 years or older were more likely to have a wider gap between their actual years of education and the number of years of education expected of Virginia's students. These are risk factors for low academic achievement.
- School divisions reported a wide variety of strategies to support LEP student achievement. These strategies are generally consistent with

principles cited in the research literature as being effective in supporting LEP student academic achievement.

- School divisions also reported barriers to LEP student graduation. These included resource limitations, academic challenges, social challenges, and consideration for students' age and time in Virginia public schools.
- LEP high school students had similar scores to non-LEP students on the Algebra I and Algebra II Standards of Learning (SOL) end-of-course tests. Scores on the remaining SOL assessments were lower than for non-LEP students, with the largest gap in the science SOL assessments.
- There was a strong relationship between LEP students' scores on the English SOL assessments and their scores on all other SOL assessments. The results of a multiple regression analysis suggest that the skills required to succeed on the English 11 SOL assessments are also important for success on the other ten SOL end-of-course tests used in grades 9-12.
- In 2006, 1,507 LEP students (69 percent of students in grade 12) completed high school. Sixty one (61) percent of these students earned standard diplomas, 30 percent earned advanced diplomas, and three and two percent earned special and modified standard diplomas, respectively. Less than one percent of the students earned other types of certificates.
- One thousand four hundred seventy-five (1,475) LEP students reported plans after graduation, representing 68 percent of the LEP students in grade 12. The National Student Clearinghouse was able to verify that 616 of these LEP students attended college in the 2006 school year.
- One thousand twenty-four (1,024) LEP students in grades 9-12 were reported as drop outs during the 2005-2006 school year. This represents 5.8 percent of all LEP students enrolled in grades 9-12 for the 2005-2006 school year. The most frequently reported reasons students were reported as dropouts were:
 - ✓ Low academic achievement (36.6 percent of those who dropped out);
 - ✓ Became employed (17.8 percent of those who dropped out); and
 - ✓ No longer attends school and could not be located (17.8 percent of those who dropped out).

Mrs. Schlicher said that based on the findings of this report, the Department of Education recommends the following steps to further support LEP students' high school achievement:

- Review the formula that provides funding to school divisions for ESL teachers, and conduct a study to assess the impact of increasing resources available to school divisions to support LEP student achievement.
- Support the National Governors Association four-year graduation rate provision that permits states to assign LEP students to different cohorts to allow them more time to graduate.
- Review the BOE guidance document on General Achievement Diplomas to clarify accessibility of this diploma option for LEP students.

- Continue to work with the United States Department of Education (USED) to develop equitable practices for including LEP students in the state's accountability system.
- Continue to provide technical assistance and consider the development of additional resources that can support LEP student achievement and increased high school graduation rates.

Mrs. Castro suggested that this report be used as a basis for the impact study that will be conducted in the future.

Mrs. Castro made a motion to waive first review and approve the final report to the Governor and General Assembly on the Analysis of Statewide Data Relating to the Requirements for Obtaining a High School Diploma for Students with Limited English Proficiency (SB 683). The motion was seconded by Dr. Ward and carried unanimously.

Final Review of Proposed Amendments to Virginia's Consolidated State Application Accountability Plan under the No Child Left Behind Act of 2001

Dr. Linda Wallinger, assistant superintendent for instruction, and Mrs. Shelley Loving-Ryder, assistant superintendent for assessment and reporting, presented this item.

Dr. Wallinger said that the *No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies (SEA) to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application.

Dr. Wallinger said that in May 2002 the Board submitted and received USED approval for its initial Consolidated State Application under NCLB. The NCLB application process involves multiple submissions of information, data, and policies. A major component of the consolidated application is Virginia's Consolidated State Application Accountability Workbook. The workbook describes a single statewide accountability system for the Commonwealth. Virginia received USED approval for its accountability workbook in June 2003. Additional amendments were made to Virginia's workbook in September 2003, May 2004, June 2005, and June 2006. The policies and procedures that were used to determine Adequate Yearly Progress (AYP) ratings for the 2006-2007 school year based on 2005-2006 assessment results are described in the amended workbook dated June 28, 2006.

Mrs. Loving-Ryder said that Virginia's proposed amendments fall under five areas: 1) reversing the order of the public school choice and supplemental educational services sanctions; 2) extending flexibility in AYP calculations for students with disabilities (SWD); 3) identifying targets for graduation rate for certain years; 4) modifying testing and AYP calculation policies for limited English proficient (LEP) students; and 5) expanding options for the other academic indicator. One amendment that was proposed at the November 29, 2006, meeting has been deleted as a result of

concerns expressed by Board members and other stakeholders: Use of a Proxy Percent for LEP students in the calculation of AYP for the 2007-2008 school year.

Prior to accepting the motion on this item, Dr. Emblidge stated that it is the intention of the Board of Education to examine in detail the expected graduation rate of the public schools. It is the intention of the Board to raise the target rate and to raise the target rate significantly. Part of this process will be to re-examine the graduation rate language in the Standards of Accreditation. The Board expects to approve at its February meeting the Notice of Intended Regulatory Action to initiate the review process as soon as possible.

Also prior to the vote, Mr. Rotherham made the following statement:

As I have said and voted in the past, I do not support de-emphasizing public school choice under No Child Left Behind. If Virginia decides to emphasize the supplemental services provisions (tutoring) of the law we could do that without denying parents the right to choose a different public school for their children. This is not vouchers, not even charter schools, it's merely offering parents of children in schools not making AYP the chance to attend a different public school.

More importantly, I cannot support setting our graduation rate target at 61 percent. The issue does not turn on commitment to addressing Virginia's dropout problem and I applaud President Emblidge and Dr. Cannaday's willingness to open the Standards of Accreditation (SOA) to include accountability for graduation rates and their commitment on this issue overall. Rather, the issue is about timing and how that should be reflected in this policy decision.

Right now Virginia does not have accountability for graduation rates and does have a dropout problem. To put it plainly, while of every 100 white kindergarteners that enter our public schools, around 80 graduate, the same is only true of every 65 African-American students and every 68 Hispanic students. In other words, we lose a lot of students at a time when a high school diploma is the bare minimum credential for future success. And, these gaps are so substantial that they cannot be blamed on family circumstances or demographics; they are a result of what happens to students in our school system and we can do something about it.

While opening the SOA is the right thing to do and an important step toward addressing this problem, setting a more ambitious graduation rate target under No Child Left Behind gives us a way to start addressing these issues now, in the meantime. There are a variety of other methods we could use to set an ambitious but realistic target besides the one we are using, which bases our target on the performance of schools in the lowest decile in the state. Those methods are not arbitrary or unfair, but would produce a more demanding target than six in ten students.

Mrs. Saslaw made a motion to accept for final review, the proposed amendments to the Virginia Consolidated State Application Accountability Plan, as permitted in Section 9401 of the federal law. Dr. Ward made a motion to second the motion and it carried with a vote of 7 to 1. Mr. Rotherham voted no. One Board member was absent.

First Review of Timeline for the Review of Health Education, Physical Education and Driver Education Standards of Learning

Dr. Wallinger presented this item. Dr. Wallinger said that the Board adopted a schedule for review and revisions to the *Standards of Learning* at its September 28, 2000, meeting. Accordingly, the *Health Education, Physical Education and Driver Education Standards of Learning* are scheduled for revision in 2007-2008.

Using an established review process and criteria, the Department of Education plans a review of the current *Health Education, Physical Education and Driver Education Standards of Learning*.

Mrs. Castro made a motion to waive first review and grant approval for the Department of Education to proceed with the revision process for the *Health Education, Physical Education, and Driver Education Standards of Learning*. The motion was seconded by Dr. Ward and carried unanimously.

The schedule for the review of the *Health Education, Physical Education and Driver Education Standards of Learning* is as follows:

January 2007	A Superintendent's Memorandum is distributed that: <ul style="list-style-type: none">• announces the schedule of the review process;• announces the availability of a <i>Standards of Learning</i> review/comment page on the Department of Education Web site;• requests that division superintendents share information about the Web site with instructional staff; and• requests that division superintendents submit nominations for review team members.
February 2007	The Department of Education seeks nominations for other stakeholders and identifies members of the review team.
March 2007	The Department of Education aggregates and conducts a preliminary analysis of the comments entered on the Web page.
June - July 2007	The Standards of Learning review team meets for two days to: <ul style="list-style-type: none">• analyze statewide Web page input;• review national documents and reports as necessary; and• make recommendations for potential changes.
July 2007	The Department of Education prepares the review team's comments in a draft.
August 2007	The Department of Education and the steering committee (a subgroup of the review team) meet to discuss and review the draft <i>Health Education, Physical</i>

Education and Driver Education Standards of Learning for first review by the Board of Education.

- September 2007** The Department of Education presents the draft document to the Board of Education for first review.
- October 2007** The proposed *Standards of Learning* document is distributed for public comment. The document is placed on the Virginia Department of Education Web site for review.
- November - December 2007** Public hearings are held as prescribed by the Board of Education.
- February 2008** The Superintendent of Public Instruction presents the proposed *Health Education, Physical Education and Driver Education Standards of Learning* to the Board of Education for final review and adoption. The final document is posted on the Department of Education Web site within three weeks of adoption.
- May 2008** Printed copies of the approved *Health Education, Physical Education and Driver Education Standards of Learning* are distributed to K-12 schools and local school division central offices.

First Review of Timeline for the Review of History and Social Science Standards of Learning

Dr. Wallinger also presented this item. Dr. Wallinger said that the Board adopted a schedule for review and revisions to the *Standards of Learning* at its September 28, 2000, meeting. The *History and Social Science Standards of Learning* are scheduled for review in 2007-2008. Using an established review process and criteria, the Department of Education plans a review of the current *History and Social Science Standards of Learning*.

Dr. Ward made a motion to waive first review and grant approval for the Department of Education to proceed with the revision process for the History and Social Science Standards of Learning. The motion was seconded by Mrs. Castro and carried unanimously.

The schedule for the review of the *History and Social Science Standards of Learning* is as follows:

- January 2007** A Superintendent's Memorandum is distributed that:
- announces the schedule of the review process;
 - announces the availability of a *Standards of Learning* review/comment page on the Department of Education Web site;
 - requests that division superintendents share information about the Web site with instructional staff; and
 - requests that division superintendents submit nominations for review team members.

February - March 2007	The Department of Education seeks nominations for other stakeholders and identifies members of the review team.
April 2007	The Department of Education aggregates and conducts a preliminary analysis of the comments entered on the Web page.
June - July 2007	The Standards of Learning review team meets for two days to: <ul style="list-style-type: none">• analyze statewide Web page input;• review national documents and reports as necessary; and• make recommendations for potential changes.
August 2007	The Department of Education prepares the review team's comments in a draft.
September 2007	The Department of Education and the steering committee (a subgroup of the review team) meet to discuss and review the draft <i>History and Social Science Standards of Learning</i> for first review by the Board of Education.
October 2007	The Department of Education presents the draft document to the Board of Education for first review.
November 2007	The proposed <i>Standards of Learning</i> document is distributed for public comment. The document is placed on the Virginia Department of Education Web site for review.
November - December 2007	Public hearings are held as prescribed by the Board of Education.
February 2008	The Superintendent of Public Instruction presents the proposed <i>History and Social Science Standards of Learning</i> to the Board of Education for final review and adoption. The final document is posted on the Department of Education Web site within three weeks of adoption.
May 2008	Printed copies of the approved <i>History and Social Science Standards of Learning</i> are distributed to K-12 schools and local school division central offices.

The schedule for the review of the History and Social Science Curriculum Framework is as follows:

February 2008	The Department of Education identifies a review team to assist with the review of the Curriculum Framework. The Curriculum Framework defines the content knowledge, skills, and understandings that are measured by the <i>Standards of Learning</i> tests.
March 2008	The Department and review team members meet to review the Curriculum Framework and make any edits required for re-alignment with the revised <i>Standards of Learning</i> .
April 2008	The Department of Education presents the draft Curriculum Framework to the Board for first review.
May 2008	Public hearings on the proposed Curriculum Framework are held as prescribed by the <i>Code of Virginia</i> .

July 2008

The Superintendent of Public Instruction presents the proposed Curriculum Framework to the Board of Education for final review and adoption. The final document is posted on the Department of Education's Web site.

First Review of Recommended Cut Scores for the SAT I Writing Test When Used as Substitute Test for the Standards of Learning End-of-Course English: Writing Test

Mrs. Shelley Loving-Ryder, assistant superintendent for assessment and reporting, presented this item. Mrs. Loving-Ryder said that the *Regulations Establishing Standards for Accrediting Public Schools* allow the Virginia Board of Education to approve substitute assessments for the Standards of Learning (SOL) end-of-course tests.

Mrs. Loving-Ryder said that Chesterfield County has nominated the SAT I Writing test as a substitute for the SOL English Writing Test. In compliance with procedures established by the Virginia Board of Education for the approval of substitute tests, staff in the Division of Instruction at the Virginia Department of Education reviewed the SAT I Writing test and determined that the content assessed met or exceeded that measured by the SOL end-of-course English: Writing test. Following this review, staff in the Division of Assessment and Reporting, reviewed the technical quality of the assessment, and in December 2006, a committee of Virginia educators was convened to recommend scores on the SAT I Writing test that would be equivalent to scores of pass/proficient and pass/advanced on the end-of-course English: Writing test.

Mr. Johnson made a motion to accept for first review the recommended cut scores for SAT I Writing test when used as a substitute for the end-of-course English: Writing test. The motion was seconded by Mr. Rotherham and carried unanimously. Mr. Rotherham asked for additional information on the process used to set the cut-scores. He asked that the Board receive this information prior to the next meeting.

First Review of a Request to Authorize the Department of Education to Conduct Studies to Determine Factors Contributing to Success in Postsecondary Education

Mrs. Shelley Loving-Ryder presented this item. Mrs. Loving-Ryder said that there is increasing national and state focus on high school students' readiness for postsecondary education. Mrs. Loving-Ryder said that one of the recommended indicators for the National Governors Association honors high school program, of which Virginia is a member, is increasing the percentage of students taking a state assessment or college placement test and earning scores indicating they have met or exceeded a college-readiness level. The Virginia Board of Education emphasis on moving Virginia's students from competence to excellence supports a focus on college readiness. A part of the current discussion on college readiness is a national dialogue about the definition of success in postsecondary education and the factors that comprise readiness for success with college level work.

Dr. Ward made a motion to waive first review and authorize the Department of Education to conduct studies identifying factors related to success in postsecondary education. The motion was seconded by Mrs. Castro and carried unanimously.

The Board's approval authorizes the Virginia Department of Education staff to work with institutions of higher education, and local school divisions, researchers, and psychometricians, as well as to conduct studies to identify key indicators of college readiness that may be used to develop measures that identify students as likely prepared for postsecondary work studies. The proposed studies will address:

1. Systemic policies and practices that affect student achievement in their first year of college; and
2. Key indicators of college readiness, such as Standards of Learning (SOL) assessment scale scores, grade point average, and courses taken, that are associated with college readiness.

First Review of Transmittal of Report on Family Life Education Survey as Requested by Senate Joint Resolution (SJR) 171

Dr. Cynthia Cave, director, office of student services, presented this item. Dr. Cave said that Senate Joint Resolution (SJR) 171, passed by the 2006 General Assembly, requested the Virginia Board of Education to survey school divisions about their Family Life Education programs and to address all aspects of the program, including: whether the local school division offers Family Life Education instruction; the qualifications of Family Life Education teachers and teacher training; the number and percentage of children who opt out each year; and parental and community involvement in the program. To meet the requirements of SJR 171, a survey was sent to each school division in the state requesting information specified in the resolution. Responding to the survey was voluntary.

Dr. Cave said that of the 132 school divisions serving students in the state, 117 divisions, or 89 percent, responded to the survey. Results of the survey for the 117 divisions that responded include the following:

- Program requirements for Family Life Education vary among school divisions.
- Eighty-two percent offer abstinence-based programs. Abstinence is stressed, but information on birth control to prevent the spread of Sexually Transmitted Diseases (STDs) is also included.
- Fourteen percent offer abstinence only programs. When discussing pregnancy and sexually transmitted diseases, abstinence is the only prevention information discussed.
- Ninety-three percent of the reporting school divisions use the Virginia Board of Education *Guidelines for Family Life Education*.
- At the elementary level, Family Life Education is taught primarily by classroom teachers (66 percent). At the middle school and high school levels,

the primary responsibility is with the health and physical education teachers (71 percent).

- Two thousand one hundred and thirty-seven teachers have been trained to teach Family Life Education.
- Of the school divisions reporting, a total of 7,574 students opted out of Family Life Education. This number represents less than five percent of all students enrolled in the divisions that reported.
- Eighty-seven percent of the school divisions that reported include parents on committees that discuss Family Life Education. Of those divisions reporting, 92 percent include health professionals, business men and women, or nonprofit agency representatives.

Dr. Brewster made a motion to waive first review and approve the report on Family Life Education Survey for transmittal to the General Assembly in response to SJR 171. The motion was seconded by Dr. Ward and carried unanimously.

DISCUSSION OF CURRENT ISSUES

The Board met for dinner at the Crowne Plaza Hotel on January 9, 2007. Present were Dr. Emblidge, Dr. Brewster, Mrs. Castro, Mr. Johnson, Mr. Moore, Mr. Rotherham, and Mrs. Saslaw. A brief discussion took place about general Board business. No votes were taken, and the dinner meeting ended at 8:30 p.m.

EXECUTIVE SESSION

Dr. Ward made a motion to go into executive session under Virginia *Code* 2.2-3711.A.7, for consultation with legal counsel, staff members or consultants regarding specific legal matters requiring provisions of legal advice. Dr. Brewster seconded the motion and it carried unanimously. The Board adjourned for the Executive Session at 10:56 a.m.

Dr. Ward made a motion that the Board reconvene in open session. The motion was seconded by Dr. Brewster and carried unanimously. The Board reconvened at 12 noon.

Dr. Ward made a motion that the Board certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board. The motion was seconded by Mrs. Saslaw and carried unanimously.

Board Roll call:

Thomas Brewster – Yes	Eleanor Saslaw – Yes
Andrew Rotherham – Yes	David Johnson – Yes
Ella Ward – Yes	Kelvin Moore – Yes
Isis Castro – Yes	Mark Emblidge – Yes

The following actions were approved by the Board on the five cases that came before them on licensure matters:

1. Jerry Archer; Board voted to issue a provisional license.
2. Inger Brister; Board voted to approve the issuance of a special education conditional license.
3. Bryan Metzgar; Board voted to deny the license pursuant to 8 VAC 20-21-690 (A)(5) and (6).
4. David James Williams; Board voted to approve the issuance of an eligibility license.
5. William Stephen Wilson; Board voted to take no action on the postgraduate professional license.

ADJOURNMENT

There being no further business of the Board of Education and the Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 12:03 p.m.

Secretary

President